MONTANA LEGISLATIVE HISTORY

Chapter 285 19 97

Bill H _____ S 383 Original bill & history ✓ C

H. Committee on Judiciary			S. Committee on Judiciary		
Hearing Date(s)	Mar 21	✓ C	Hearing Date(s)	Feb 21	✓ C
	Mar 22	✓ C			C
		C			C
		C			C
Date Out		C			

Did this bill originate in an interim committee? ____ Yes ____ No

Committee _____ Report _____

1997 LEGISLATIVE HISTORY

The 1997 Montana Legislature has dramatically changed the nature of the legislative minutes. Specifically, the minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are somewhat fuller in content. Exhibits available from the State Law Library (which may include written statements, attendant information, roll call votes, roll call attendance, a list of public members present, specific action taken on legislative bills, etc.) are included with this request. For information on other exhibits, contact the Montana Historical Society Archives at 444-4774. Exhibits may also be purchased on a CD-ROM from the Montana Legislative Council (444-3064).

Just as in the 1995 legislative session, the House and Senate hearings were recorded. The Historical Society is the depository for the tapes. For information on accessing the tapes, call the archives at 444-4774.

If you have concerns over the format of the 1997 legislative minutes, it is suggested that you contact your state legislators.

SENATE BILL NO. 383

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE MONTANA STREET TERRORISM ENFORCEMENT AND PREVENTION ACT; DEFINING "CRIMINAL STREET GANG" AND "PATTERN OF CRIMINAL STREET GANG ACTIVITY"; PROVIDING FOR THE ENHANCEMENT OF CRIMINAL PENALTIES FOR CRIMINAL STREET GANG-RELATED ACTIVITY; PROVIDING FOR THE DETERRENCE AND PUNISHMENT OF CRIMINAL STREET GANG-RELATED OFFENSES; PROVIDING FOR THE FORFEITURE OF THE INSTRUMENTALITIES USED BY CRIMINAL STREET GANGS; AMENDING SECTION 41-5-206, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

WHEREAS, the Legislature finds and declares that it is the right of every person to be secure and protected from fear, intimidation, and physical harm caused by the activities of violent groups and individuals; and

WHEREAS, it is not the intent of the Legislature to interfere with the exercise of the constitutionally protected rights of freedom of expression and association; and

WHEREAS, the Legislature hereby recognizes the constitutional right of every citizen to harbor and express beliefs on any lawful subject whatsoever, to lawfully associate with others who share similar beliefs, to petition lawfully constituted authority for a redress of perceived grievances, and to participate in the electoral process; and

WHEREAS, the Legislature further finds that the State of Montana is in a situation of rising crisis caused by the entry into the state of criminal street gangs whose members threaten, terrorize, and commit a multitude of crimes against the peaceful citizens of their neighborhoods; and

WHEREAS, these activities, both individually and collectively, present a clear and present danger to public order and safety and are not constitutionally protected; and

WHEREAS, the Legislature finds that several out-of-state criminal street gangs have established a presence in Montana's larger cities, that these criminal street gangs are attracting and recruiting members in Montana, and that identifiable criminal street gang-related crimes are beginning to appear and increase in Montana communities that have recognizable criminal street gang-related presences; and

WHEREAS, the Legislature finds that when these criminal street gangs establish a presence in

Montana cities, the quality of Montana citizens' safety, welfare, and enjoyment of life begins to decline; and

WHEREAS, the Legislature wishes to deter the growing influx of violent criminal street gangs and criminal street gang-related activity in its communities and to protect Montana citizens from the terror associated with violent criminal street gangs; and

WHEREAS, it is the intent of the Legislature in enacting [sections 1 through 10] to seek the eradication of activity of criminal street gangs by focusing on the patterns of criminal street gang activity and on the organized nature of criminal street gangs; and

WHEREAS, the Legislature further finds that an effective means of punishing and deterring the activities of criminal street gangs is through forfeiture of the instrumentalities used by criminal street gangs.

THEREFORE, the Legislature finds it appropriate to enact [sections 1 through 10].

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 through 9] may be cited as the "Montana Street Terrorism Enforcement and Prevention Act".

NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 9], the following definitions apply:

(1) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more of the criminal acts enumerated in [section 5], having a common name or common identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

(2) "Pattern of criminal street gang activity" has the meaning provided in [section 5].

NEW SECTION. **Section 3. Use of threat to coerce gang membership -- use of violence to coerce gang membership.** (1) A person commits the offense of use of threat to coerce criminal street gang membership if the person purposely or knowingly threatens a person under 18 years of age with physical violence on two or more separate occasions with the intent to coerce, induce, or solicit the minor to

actively participate in any criminal street gang whose members engage in a pattern of criminal street gang activity.

(2) A person commits the offense of use of violence to coerce criminal street gang membership if the person purposely or knowingly uses physical violence to coerce, induce, or solicit a person under 18 years of age to actively participate in any criminal street gang whose members engage in a pattern of criminal street gang activity.

(3) (a) A person convicted of the offense of use of threat to coerce criminal street gang membership shall be imprisoned in the county jail for a term not to exceed 1 year.

(b) A person convicted of the offense of use of violence to coerce criminal street gang membership shall be imprisoned in a state prison for a term not to exceed 3 years.

(4) A person who is 16 years of age or older and less than 18 years of age who is named in a petition filed in youth court alleging delinquency for the alleged commission of the offense of use of threat to coerce criminal street gang membership or the offense of use of violence to coerce criminal street gang membership is subject to transfer of the case to district court under 41-5-206 or, if the case is not transferred to district court under 41-5-206, to the provisions of Title 41, chapter 5.

(5) This section may not be construed to limit prosecution under any other provision of law.

(6) A person may not be convicted of violating this section based on speech alone, except on a showing that the speech itself threatened violence against a specific person, that the defendant had the apparent ability to carry out the threat, and that physical harm was imminently likely to occur.

NEW SECTION. **Section 4. Additional sentence for criminal street gang-related felony.** (1) (a) A person who is convicted of a felony that the person committed for the benefit of, at the direction of, or in association with any criminal street gang for the purpose of promoting, furthering, or assisting any criminal conduct by criminal street gang members shall, in addition to the punishment provided for the commission of the underlying offense, be sentenced to a term of imprisonment in a state prison of not less than 1 year or more than 3 years, except as provided in 46-18-222.

(b) If the underlying felony described in subsection (1)(a) is committed on the grounds of, or within 1,000 feet of, a public school, as defined in 20-6-501, during hours when the facility is open for classes or school-related programs or when minors are using the facility, the additional term provided for in subsection (1) is 2 to 4 years.

(2) The imposition or execution of the minimum sentences prescribed by this section may not be deferred or suspended, except as provided in 46-18-222.

(3) An additional sentence prescribed by this section shall run consecutively to the sentence provided for the underlying offense.

NEW SECTION. **Section 5. Pattern of criminal street gang activity.** (1) For purposes of [sections 1 through 9], "pattern of criminal street gang activity" means the commission, solicitation, conspiracy, attempt; adjudication as a delinquent youth for the commission, attempt, or solicitation; or conviction of two or more of the offenses listed in subsection (2) within a 3-year period, and that the offenses were committed on separate occasions.

(2) The offenses that form a pattern of criminal gang activity include:

(a) deliberate homicide, as defined in 45-5-102;

(b) felony assault, as defined in 45-5-202;

(c) intimidation, as defined in 45-5-203;

(d) kidnapping, as defined in 45-5-302;

(e) aggravated kidnapping, as defined in 45-5-303;

(f) robbery, as defined in 45-5-401;

(g) sexual intercourse without consent, as defined in 45-5-503;

(h) aggravated promotion of prostitution, as defined in 45-5-603;

(i) criminal mischief, as defined in 45-6-101;

(j) arson, as defined in 45-6-103;

(k) burglary, as defined in 45-6-204;

(l) theft, as defined in 45-6-301;

(m) forgery, as defined in 45-6-325;

(n) tampering with witnesses and informants, as defined in 45-7-206;

(o) bringing armed men into the state, as defined in 45-8-106;

(p) unlawful possession of a firearm by a convicted person, as defined in 45-8-313;

(q) carrying a concealed weapon, as defined in 45-8-316;

(r) possession of a deadly weapon by a prisoner, as defined in 45-8-318;

(s) possession of a destructive device, as defined in 45-8-334;

(t) possession of explosives, as defined in 45-8-335;

(u) possession of a sawed-off firearm, as defined in 45-8-340;

(v) the sale, possession for sale, transportation, manufacture, offer for sale, offer to manufacture, or other offense involving a dangerous drug as prohibited by Title 45, chapter 9;

(w) use of threat to coerce criminal street gang membership or use of violence to coerce criminal street gang membership provided in [section 3].

NEW SECTION. **Section 6. Confiscation of instrumentalities of criminal activity.** (1) Any firearm, ammunition that may be used with the firearm, or dangerous weapon that is owned or possessed by a member of a criminal street gang for the purpose of the commission of any of the offenses listed in [section 5] or the commission of any burglary or sexual intercourse without consent may be confiscated by any law enforcement agency or peace officer.

(2) If a law enforcement agency believes that the return of a firearm, ammunition, or a dangerous weapon confiscated under subsection (1) is or will be used in criminal street gang activity or that the return of the item would be likely to result in endangering the safety of others, the agency shall request the county attorney to initiate a petition in district court to determine if the confiscated item should be returned or declared a nuisance.

(3) (a) A firearm, ammunition, or a dangerous weapon may not be sold or destroyed unless reasonable notice is given to its lawful owner if the lawful owner's identity can be reasonably ascertained. The law enforcement agency shall inform the lawful owner, at that person's last-known address by registered mail, that the owner has 30 days from the date of receipt of the notice to respond to the clerk of court to confirm the owner's desire for a hearing and that the failure to respond must result in a default order forfeiting the confiscated firearm, ammunition, or dangerous weapon as a nuisance.

(b) If the person requests a hearing, the clerk of court shall set a hearing no later than 30 days from receipt of that request. The clerk of court shall notify the person, the law enforcement agency involved, and the county attorney of the date, time, and place of the hearing.

(c) At the hearing, the burden of proof is on the state to show by a preponderance of the evidence that the seized item was used or is likely to be used in criminal street gang activity or that return of the item will likely result in endangering the safety of others.

(d) If the owner does not request a hearing within 30 days of the notice or the lawful owner cannot

be ascertained, the law enforcement agency shall request that the county attorney file a petition that the confiscated item be declared a nuisance. If the item is declared a nuisance, the law enforcement agency shall dispose of the item as provided by law.

NEW SECTION. **Section 7. Supplying of firearms to criminal street gang.** (1) A person commits the offense of supplying firearms to a criminal street gang if:

(a) the person purposely or knowingly supplies, sells, or gives possession or control of any firearm to another, and the person has actual knowledge that the other person will use the firearm to commit an offense enumerated in [section 5] while actively participating in any criminal street gang whose members engage in a pattern of criminal street gang activity;

(b) the firearm is used to commit one of the offenses enumerated in [section 5]; and

(c) a conviction for the offense enumerated in [section 5] has first been obtained of the person to whom the firearm was supplied, sold, or given.

(2) Subsection (1) does not apply to a person who is convicted as a principal to the offense committed by the person to whom the firearm was supplied, sold, or given.

(3) A person convicted of the offense of supplying firearms to a criminal street gang shall be imprisoned in the county jail for a term not to exceed 1 year or be fined an amount not to exceed $1,000, or both.

NEW SECTION. **Section 8. Exceptions.** [Sections 1 through 9] do not apply to employees engaged in lawful concerted activities for their mutual aid and protection or to the lawful activities of labor organizations or their members or agents.

NEW SECTION. **Section 9. Adoption of local regulations.** [Sections 1 through 9] do not prevent a local government from adopting and enforcing ordinances or resolutions consistent with [sections 1 through 9] relating to criminal street gangs and criminal street gang violence.

Section 10. Section 41-5-206, MCA, is amended to read:

"41-5-206. Transfer to criminal court prior to prosecution. (1) After a petition has been filed alleging delinquency, the court may, upon motion of the county attorney, before hearing the petition on its

merits, transfer the matter of prosecution to the district court if:

(a) (i) the youth charged was 12 years of age or ~~more~~ older at the time of the conduct alleged to be unlawful and the unlawful act would constitute sexual intercourse without consent as defined in 45-5-503, deliberate homicide as defined in 45-5-102, mitigated deliberate homicide as defined in 45-5-103, or the attempt, as defined in 45-4-103, of either deliberate or mitigated deliberate homicide if the act had been committed by an adult; or

(ii) the youth charged was 16 years of age or ~~more~~ older at the time of the conduct alleged to be unlawful and the unlawful act is one or more of the following:

(A) negligent homicide as defined in 45-5-104;

(B) arson as defined in 45-6-103;

(C) aggravated or felony assault as defined in 45-5-202;

(D) robbery as defined in 45-5-401;

(E) burglary or aggravated burglary as defined in 45-6-204;

(F) aggravated kidnapping as defined in 45-5-303;

(G) possession of explosives as defined in 45-8-335;

(H) criminal sale of dangerous drugs as defined in 45-9-101;

(I) criminal production or manufacture of dangerous drugs as defined in 45-9-110;

(J) attempt, as defined in 45-4-103, of any of the acts enumerated in subsections (1)(a)(ii)(A) through (1)(a)(ii)(I);

(K) use of threat to coerce criminal street gang membership or use of violence to coerce criminal street gang membership, as defined in [section 3];

(b) a hearing on whether the transfer should be made is held in conformity with the rules on a hearing on a petition alleging delinquency, except that the hearing must be conducted by the youth court without a jury;

(c) notice in writing of the time, place, and purpose of the hearing is given to the youth, the youth's counsel, and the youth's parents, guardian, or custodian at least 10 days before the hearing; and

(d) the court finds upon the hearing of all relevant evidence that there is probable cause to believe that:

(i) the youth committed the delinquent act alleged;

(ii) the seriousness of the offense and the protection of the community require treatment of the

youth beyond that afforded by juvenile facilities; and

(iii) the alleged offense was committed in an aggressive, violent, or premeditated manner.

(2) In transferring the matter of prosecution to the district court, the court may also consider the following factors:

(a) the sophistication and maturity of the youth, determined by consideration of the youth's home, environmental situation, and emotional attitude and pattern of living;

(b) the record and previous history of the youth, including previous contacts with the youth court, law enforcement agencies, youth courts in other jurisdictions, prior periods of probation, and prior commitments to juvenile institutions. However, lack of a prior juvenile history with youth courts is not of itself grounds for denying the transfer.

(3) The court shall grant the motion to transfer if the youth was 16 years ~~old~~ of age or older at the time of the conduct alleged to be unlawful and the unlawful act would constitute deliberate homicide as defined in 45-5-102, mitigated deliberate homicide as defined in 45-5-103, or the attempt, as defined in 45-4-103, of either deliberate or mitigated deliberate homicide if the act had been committed by an adult.

(4) Upon transfer to district court, the judge shall make written findings of the reasons why the jurisdiction of the youth court was waived and the case transferred to district court.

(5) The transfer terminates the jurisdiction of the youth court over the youth with respect to the acts alleged in the petition. A youth may not be prosecuted in the district court for a criminal offense originally subject to the jurisdiction of the youth court unless the case has been transferred as provided in this section. A case may be transferred to district court after prosecution as provided in 41-5-208 or 41-5-1105.

(6) Upon order of the youth court transferring the case to the district court under subsection (5), the county attorney shall file the information against the youth without unreasonable delay.

(7) Any offense not enumerated in subsection (1) that arises during the commission of a crime enumerated in subsection (1) may be:

(a) tried in youth court;

(b) transferred to district court with an offense enumerated in subsection (1), upon motion of the county attorney and order of the youth court judge.

(8) If a youth is found guilty in district court of any of the offenses transferred by the youth court and is sentenced to the state prison, the commitment must be to the department of corrections. The

department shall confine the youth in whatever institution that it considers proper, including a state youth correctional facility under the procedures of 52-5-111. However, a youth under 16 years of age may not be confined in the state prison.

(9) A youth whose case is transferred to district court may not be detained or otherwise placed in a jail or other adult detention facility before final disposition of the youth's case unless:

(a) alternative facilities do not provide adequate security; and

(b) the youth is kept in an area that provides physical, as well as sight and sound, separation from adults accused or convicted of criminal offenses."

NEW SECTION. **Section 11. Codification instruction.** [Sections 1 through 9] are intended to be codified as an integral part of Title 45, and the provisions of Title 45 apply to [sections 1 through 9].

NEW SECTION. **Section 12. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 13. Effective date.** [This act] is effective on passage and approval.

NEW SECTION. **Section 14. Retroactive applicability.** For purposes of determining a pattern of criminal gang activity, the provisions of [section 5] apply retroactively, within the meaning of 1-2-109, to an offense that occurred before [the effective date of this act] if the second or subsequent offense occurred after [the effective date of this act].

-END-

5/01 SIGNED BY GOVERNOR
CHAPTER NUMBER 468
EFFECTIVE DATE: 05/01/97

SB 383 INTRODUCED BY CRIPPEN *LC0917 DRAFTER: LANE*

CREATE THE MONTANA STREET TERRORISM ENFORCEMENT AND PREVENTION ACT

2/18	INTRODUCED		
2/18	REFERRED TO JUDICIARY		
2/19	FIRST READING		
2/21	HEARING		
2/22	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/25	2ND READING PASSED	50	0
2/26	3RD READING PASSED	49	0
	TRANSMITTED TO HOUSE		
3/03	FIRST READING		
3/03	REFERRED TO JUDICIARY		
3/18	FISCAL NOTE REQUESTED		
3/21	HEARING		
3/22	FISCAL NOTE RECEIVED		
3/22	FISCAL NOTE PRINTED		
3/27	COMMITTEE REPORT—BILL CONCURRED		
4/04	2ND READING CONCURRED	82	18
4/05	3RD READING CONCURRED	81	18
	RETURNED TO SENATE		
4/10	SIGNED BY PRESIDENT		
4/10	SIGNED BY SPEAKER		
4/11	TRANSMITTED TO GOVERNOR		
4/16	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 285		
	EFFECTIVE DATE: 04/16/97		

SB 384 INTRODUCED BY EMERSON, ET AL. *LC1279 DRAFTER: NISS*

PROHIBIT CONTRIBUTIONS FROM LABOR UNIONS FROM BEING USED TO SUPPORT OR OPPOSE CANDIDATES, BALLOT MEASURES, OR POLITICAL COMMITTEES IN THE SAME MANNER AND TO THE SAME EXTENT AS CONTRIBUTIONS FROM CORPORATIONS ARE PROHIBITED FROM BEING USED FOR THOSE PURPOSES

2/19	INTRODUCED		
2/19	FIRST READING		
2/19	REFERRED TO STATE ADMINISTRATION		
2/19	FISCAL NOTE REQUESTED		
2/20	FISCAL NOTE RECEIVED		
2/20	FISCAL NOTE PRINTED		
2/21	HEARING		
2/24	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/25	2ND READING DO PASS AS AMENDED MOTION FAILED	18	32

SB 385 INTRODUCED BY STANG *LC1283 DRAFTER: NISS*

PROVIDE FOR THE FILING BY A MOTHER OF A CLAIM OF PATERNITY OR NOTICE OF INTENT TO SEEK SOLE CUSTODY

2/19 FISCAL NOTE REQUESTED
2/19 INTRODUCED
2/19 FIRST READING
2/19 REFERRED TO JUDICIARY
2/21 HEARING
2/21 TABLED IN COMMITTEE

are at the federal level, but there is potential to move now into state courts.

SEN. DOHERTY. Why are you amending comparative negligence in Sections 12 and 13, and can that be stricken? They may dovetail with federal law, but that will affect every other single cause of action in Montana will it not? **Allan Karell.** I don't believe so.

Closing by Sponsor: **SEN. HARP.** The State Auditor needs to look at Section 11. Why didn't he bring reform suggestions to the Legislature. I am disappointed by the example of Lewis and Clark County, as nothing in this bill will impair that situation. Fraud situations will continue to occur in Montana.

VICE CHAIRMAN GROSFIELD assumed the Chair at this point.

{Tape: 1; Side: B; Approx. Time Count: #31.1; Comments: None.}

HEARING ON SB 383

Sponsor: **SEN. BRUCE CRIPPEN, SD 10, Billings**

Proponents: **David Ward, Chief of Police, Billings**
Sergeant Ken Dovo, Billings Police Department
John Conner, Department of Justice
Dennis Paxinos, Yellowstone County Attorney
Jeff Beecroft, Detective, Great Falls Police Department
Chuck O'Reilly, Lewis and Clark County Sheriff
Guy Baker, Missoula Police Department
Tim Shanks, Montana Police Protective Association and Great Falls Police Department
Bob Charles, Montana Chapter of the National Association of Social Workers.

Opponents: **None**

Opening Statement by Sponsor: **SEN. BRUCE CRIPPEN, SD 10, Billings.** This is the Montana Terrorism Prevention and Enforcement Act, dealing with street gangs. Early last year, I received a call from Dave Ward, Billings Police Chief, concerning the trend in Billings and elsewhere in Montana of the surfacing of organized gangs, generally of a certain age. I also spoke with Mr. Watson, Billings City Administrator. We looked to California and other states for language to define terms from a legal and legislative perspective to help the judicial system deal with this problem. The 'whereases' define the problem; Section 2 is definitions; Section 3 defines use of threat to coerce, and the penalty; Section 4 deals with enhancement of current law; Section 5 is the real guts of the bill and defines patterns of street gang activity.

We want to ensure we are not infringing upon the rights of peaceful citizens to congregate. Section 6 deals with confiscation; Section 7 applies to supply of firearms; Section 8 provides exceptions; Section 9 pertains to local registration; Section 10 deals with transfer of prosecution to criminal court, and provides exceptions on page 7, line 20; Section 12 makes the bill effective upon passage and approval; Section 14 has retroactive applicability of Section 5 with regard to second or subsequent offenses.

{Tape: 2; Side: A; Approx. Time Count: #12.3; Comments: 10:27 a.m..}

Proponents' Testimony: **Dave Ward, Chief of Police, Billings.** We support this legislation, as we have gang problems in the entire state, and not just in Billings. In the Billings area, they're going out into the smaller communities. One year ago, we did a gang assessment in Billings, and the results were fairly alarming.

Sergeant Ken Dovo, Billings Police Department. The 1995 assessment identified 21 gangs from all over the U.S. So we believe it is important to get this legislation in place now. There has been an increase of intimidation of store clerks in the malls when these gangs commit theft.

John Conner, Department of Justice. This was well-drafted by **Valencia Lane** from the California law, and then restructured to be consistent with Montana statutes. It might be more efficient to take out the provision in Section 6 concerning confiscation of firearms. The police in Missoula and Billings are in agreement on this, as it is a fairly complicated and detailed process to go through.

If a weapon is used in an offense, it can be held as evidence. Also, in Section 7, we would strike (1)(b) and (1)(c), as, under current statute, "mental state" won't fly. The recent "purposefully and knowingly" interpretation requires more of the prosecutors. Otherwise, we strongly support the bill. **Mike Batista, Criminal Division, Department of Justice**, is present to answer questions.

Dennis Paxinos, Yellowstone County Attorney. We support John Conner's amendments so we can deal with the meat of this issue. There were few youth crimes in the late 1980s, but this activity has been growing more and more in the 1990s, as dollars can be made with small amounts of drugs in urban areas. These cases becomes automatically transferred to adult court, as this is adult-like activity.

Jeff Beecroft, Detective, Great Falls Police Department. We have documented eight gangs now in Great Falls. One year ago there were only three. The average age is 12-29. In April, 1995 a "Bloods" gang member from Sacramento was selling crack cocaine

here. He met with me with a loaded, sawed-off shotgun on his hip. We have many more stories like this, and it is getting to be a major problem.

Chuck O'Reilly, Lewis and Clark County Sheriff. Gangs are existing in communities because of lack of resources and laws.

Guy Baker, Missoula Police Department. We have a target program for these youth gangs which have been creating increasing problems the past three years with their predatory mentality, and they are very dangerous.

We are members of the Northwest Gang Investigation Association, along with Oregon, Idaho, and Washington. Once these gangs are established, no community in America has been able to get rid of them.

Tim Shanks, Montana Police Protective Association and Great Falls Police Department. We need this legislation.

Bob Charles, Montana Chapter of the National Association of Social Workers. This is an anti-social and family problem. I thank the Committee for the good hearing of this bill, and ask your support.

Opponents' Testimony: None

Questions From Committee Members and Responses: **SEN. HALLIGAN.** Why did Scott Crichton with the ACLU not speak on this bill? **Scott Crichton.** I will read a letter, speaking as an informational source. The information being gathered by the Billings Police Department in their study is not being deleted after a period of time. Thus, there is no guarantee against future problems.

{Tape: 2; Side: A; Approx. Time Count: #33.3; Comments: 10:48 a.m.}

In raising points with regard to constitutional protection, we must keep in mind the distinctions between illegal gang activity and other kids on the streets. We need rules for field interview and data storage and purging of records.

SEN. HALLIGAN. I don't see an exception in the bill. What about infiltrating gangs to stop them? **Dave Ward.** There is no way to infiltrate right now, at least not in Billings.

SEN. HALLIGAN. If one member of a family is involved, is the entire family targeted for intervention? **Dave Ward.** We have used FIR interrogative reports for 25 years. These are kept for a year and then can be purged. They don't drag in other family members, but are individual-specific. It's just part of the intelligence information gathered under federal guidelines.

SEN. DOHERTY. So you purge them after one year if there is no additional reason not to. **Dave Ward.** Yes, there is a policy in place to do this now. Information on juveniles is sealed once they reach the age of majority. I believe it is better dealt with at the local level, and that state statutes are sufficient now.

VICE CHAIRMAN GROSFIELD. Where and what kinds of activities are investigated? **Mike Batista.** There is an overflow factor from the larger cities - Great Falls, Billings and Missoula - to the smaller towns. We are seeing expansion of motorcycle gang activities and the KKK, which the bill would also address.

VICE CHAIRMAN GROSFIELD. What about intimidations of clerks in malls? **Sergeant Dovo.** Gangs intimidate kids to steal items, and this actually happened in a Billings mall. The kid purposefully got caught to get out of the situation.

SEN. ESTRADA. Are gang-related activities in one area of Billings or all over? **Dave Ward.** There is no one specific tie, other than two gangs on the East end which are filtering into Shepard. They are influencing local kids, and that situation will escalate. There was a knife fight in the mall just prior to the incident just mentioned by Sergeant Dovo.

SEN. DOHERTY. I work with people on Indian reservations. What is the level of gangs there, and the level of cooperation between the BIA (Bureau of Indian Affairs) and you? On one reservations, folks were extremely concerned about the rural areas. **Mike Batista.** I believe there is a very bad drug problem in Montana on Indian reservations. I believe it is growing and becoming more serious and alarming. There are some changes being made.

SEN. DOHERTY. Is the state doing anything to enter into cooperative agreements with the Tribes to not stymie these investigations? **Mike Batista.** There has been talk between the Tribes and the Montana Highway Patrol, but I'm not aware of any agreement, as this is handled by the Feds.

Closing by Sponsor: **SEN. CRIPPEN.** I appreciate Scott Crichton's comments and the guidelines he offered. This bill is more proactive than reactive, and the problem won't go away. It's a start, and is a good piece of legislation. I have no problem with the amendments offered by the proponents. **(EXHIBIT #11, letter from Susan DeCamp, Billings)**

{Tape: 2; Side: B; Approx. Time Count: #4.5; Comments: 11:04 a.m..}

EXECUTIVE ACTION ON SB 385

Motion: **SEN. HALLIGAN MOVED TO TABLE SB 385.**

Discussion: **SEN. HOLDEN.** I support the motion.

SEN. DOHERTY. I believe the Committee has a responsibility to table this bill.

Vote: SEN. HALLIGAN'S MOTION TO TABLE SB 385 CARRIED UNANIMOUSLY.

THE COMMITTEE RECESSED AT 10:00 A.M. AND RECONVENED AT 10:22 A.M. AND SEN. CRIPPEN ASSUMED THE CHAIR AT THIS POINT.

EXECUTIVE ACTION ON SB 383

Motion/Vote: VICE CHAIRMAN LORENTS GROSFIELD MOVED TO STRIKE SECTION 6, ON PAGE 5, AND LINES 11-13 ON PAGE 6 - SUBSECTIONS (b) AND (c) AND MAKE THE APPROPRIATE CLERICAL CORRECTION ON PAGE 2, LINES 9-10, AND CORRECT THE TITLE TO GET RID OF THE FORFEITURE ISSUE REGARDING WEAPONS. THE MOTION CARRIED UNANIMOUSLY.

Motion: SEN. ESTRADA MOVED SB 383 DO PASS AS AMENDED.

Discussion: SEN. DOHERTY. With the Billings Police internal policy for purging of records of juveniles and adults, what is the sense of the Committee to put this in statute to ensure that other police departments are doing the right thing now? **CHAIRMAN CRIPPEN.** Sheriff O'Reilly said the privacy act addresses this. We can note this for the House to address.

SEN. DOHERTY. I believe all police departments ought to follow the policy of the Billings Police Department.

Vote: SEN. ESTRADA'S MOTION THAT SB 383 DO PASS AS AMENDED CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON SB 96

Motion: VICE CHAIRMAN GROSFIELD MOVED TO TAKE SB 96 OFF THE TABLE.

Discussion: VICE CHAIRMAN GROSFIELD. I have amendments and more details and will move to eliminate the amendments put on in committee as they are not part of the Attorney General's agreement with the industry, made in December **(EXHIBIT #12, sb009610.avl)**. I will also move to make the system voluntary, and then will move a decal or seal on machines for the automated system. I will also make a motion for a dial-in or dial-out system. When the Department of Justice releases its request for proposals they are required to go with the better and most cost-effective of the two systems, preferably dial-in. This is a very important bill in this session, being voluntary versus mandatory.

SEN. HALLIGAN. So we are going from $405 to $300 per machine? **VICE CHAIRMAN GROSFIELD.** Yes.

SEN. HOLDEN. Would the amendment change who pays? **VICE CHAIRMAN GROSFIELD.** The hook-up to the dial-in is a tax credit against the gambling tax, at $300 per machine maximum.

SB383
SENATE JUDICIARY COMMITTEE
EXHIBIT NO. 11
DATE 2-21-97
BILL NO. SB383

February 21, 1997

Susan DeCamp
711 Avenue C
Billings, Montana 59102
406-248-4543

Mister Chairman, Members of the Committee:

If I did not have to be in New York City on business, I would certainly have appeared before the committee in person.

Gang activity across the United States is certainly a phenomenon that must concern us all. Children being used as the tools of drug dealers is a deplorable situation that deserves the utmost efforts of the law enforcement community.

As a former member of the Community Crime Prevention Council, active volunteer in the Billings community and as a parent, I am enthusiastic about the trend toward community policing and greater interaction and cooperation between police officers and community members.

In the past year, however, as a parent of three adolescents, I have been alarmed by the treatment my children have received at the hands of police officers in Billings. My kids are good kids, good students, and good people. They don't do drugs, and they care about Billings as much as I do.

My daughter Emily and many of her admittedly unusual looking friends, was stopped by police in Billings, and subjected to an interrogation that was intrusive, intimidating and humiliating.

For no other reason than that she was downtown, she was approached by an armed uniformed police officer who demanded to know her name, social security number, who her friends were, if she had any tattoos or body piercings, where they were on her body--they demanded to know what brand shoes she wore, etc.

All of this embarrassing and personal information was recorded and entered into a law enforcement intelligence system that is accessible by other intelligence agencies. When I asked if this information would be deleted after the initial survey was completed and my daughter was NOT associated with gangs--I was told that it would not.

When I asked police chief, Dave Ward, if he could guarantee that this information would never be misused against my daughter, he could not offer any reassurance.

My primary objections to this form of law enforcement are:

1. This information was not gathered on a "voluntary" basis as the police department claims. The kids were approached by an armed, uniformed officer who simply demanded information from them. When others saw what was going on and tried to leave the area, the officer told them that they could not leave. There was no justification for detaining these kids whatsoever.

2. The kids had not done anything that would qualify them as possible gang suspects. The police officers were incapable of discerning skateboarders, from gang members or kids who were simply socializing in the park.

3. Associating innocent children's names with gang files is a defamation of character that is unconstitutional, unwarranted, highly discriminatory and unnecessary.

I hate to use the overused word "draconian," but this exactly describes this misuse of police authority. It is also worth considering the misplaced priorities of the police department.

DUE's, for example, have victimized the entire Billings community for years. If this same approach that is being used on kids was applied to the community at large, it would be necessary to place a couple of officers outside every bar and restaurant in Billings, demanding of every patron who they are, their address, social security number, what they drank, how much, how often they frequent that establishment, how they intend to get home, and who they were with in the bar. Then this information would become part of a "possible alcoholics" file that would become part of a centralized law enforcement intelligence system accessible by other law enforcement agencies on a national basis.

If we would not apply such objectionable practices against adults, why would we do this to our kids? It was my impression that we were supposed to protect children.

When I requested the opportunity to discuss this issue with the Billings City Council, Mark Watson turned me down, but he did invite Dave Ward to present his side of the story. This lack of access only compounds the injustice of the tactics being used.

I believe that until the question of whether we are unjustly applying the authority presently granted to the police department--I respectfully request the committee to vote against this bill. Or, if possible, delay this bill until we have an opportunity to put together the information and personal testimony that will give you the information you need to come to a well informed decision.

Sincerely, Susan DeCamp

Subj: Police/Gangs
Date: 97-02-20

My name is Emily Davidson. I am writing to let the ACLU know what I think about the "gang situation" in Billings. In my opinion, there is no gang problem in Billings. I go to school at Billings Senior High School. As a teenaged student, one would think that if there were a gang problem I might have at least heard something about it. I have heard nothing. I haven't heard about anyone being initiated into a gang or anything else like that. Billings has no gangs. California has gangs. Maybe the people of Billings just need someone or something to blame the crime rate on.

When the Billings Police Department began investigating, interrogating, and randomly selecting teenagers to question from the downtown area, I was there. They were not very friendly, they did not let us know why they were asking us such absurd questions, and they did not inform us that we had a right not to answer the questions.

They asked questions that I found very personal. They asked me if I had any tattoos, and if so, where? They asked me what kind of boots I was wearing. They wrote down my height, eye color, and weight. They noted that I had a nose ring. They asked me about other teenagers' tattoos, if I knew what they meant. I felt very violated. When my friends and I went downtown it was only to drink coffee and have fun. The police questioned me four different times. I stopped meeting my friends downtown, it was no fun to be treated like a criminal by the police every time that I went there.

The police department now has a file that is all about me. This makes me uncomfortable. I don't know what they do with those files. I don't know who gets to see it, and the police refused to erase it at my request.

From what I have observed, the police are going about this investigation the wrong way. I am afraid their poor judgement will lead them to point at me when they go through those files and try to decide which kids are in gangs.

Maybe the police should go to a state where there really is a gang problem, and try to get a clue before they start insulting the wrong people. I am not a gang member.

SENATE STANDING COMMITTEE REPORT

February 21, 1997

MR. PRESIDENT:
We, your committee on Judiciary having had under consideration Senate Bill 383 (first reading copy -- white), respectfully report that Senate Bill 383 be amended as follows and as so amended do pass.

Signed: _____
Senator Bruce Crippen, Chair

That such amendments read:

1. Title, lines 8 and 9.
Following: "OFFENSES;" on line 8
Strike: remainder of line 8 through "GANGS;" on line 9

2. Page 2, lines 6 and 11.
Strike: "10"
Insert: "8"

3. Page 2, lines 15 and 18.
Page 4, line 7.
Page 6, lines 20, 24, and 26.
Page 9, lines 10 and 11.
Strike: "9"
Insert: "8"

4. Page 2, line 8.
Following: "gangs"
Strike: "; and"
Insert: "."

5. Page 2, lines 9 and 10.
Strike: lines 9 and 10 in their entirety

6. Page 5, line 8 through page 6, line 3.
Strike: section 6 in its entirety
Renumber: subsequent sections

7. Page 6, line 6.
Following: "if"
Strike: ":"

8. Page 6, line 7.
Strike: "(a)"

Amd. Coord.
Sec. of Senate

411627SC.SRF

9. Page 6, line 10.
Strike: ";"
Insert: "."

10. Page 6, lines 11 through 13.
Strike: subsections (b) and (c) in their entirety

-END-

MONTANA SENATE
1997 LEGISLATURE
JUDICIARY COMMITTEE

ROLL CALL DATE 2-21-97

NAME	PRESENT	ABSENT	EXCUSED
SUE BARTLETT	✓		
AL BISHOP	✓		
STEVE DOHERTY	✓		
SHARON ESTRADA	✓		
MIKE HALLIGAN	✓		
RIC HOLDEN	✓		
REINY JABS	✓		
WALT MC NUTT	✓		
LORENTS GROSFIELD, VICE CHAIRMAN	✓		
BRUCE CRIPPEN, CHAIRMAN	✓		

SEN:1995
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CS-09

DATE Feb 21, 1997

SENATE COMMITTEE ON Judiciary

BILLS BEING HEARD TODAY: SB 382, 383, 385

< ■ > PLEASE PRINT < ■ >

Name	Representing	Bill No.	Check One: Support	Check One: Oppose
Gordon Morris	MACo	SB382		X
Dennis Taylor	Yellowstone Co	SB 383	X	
Daniel L Inc	City of Billings	SB383	X	
Ken Dowd	Bozeman P.D.	SB 383	X	
Jeff Bevcraft	Gt. Falls PD	SB 383	X	
Greg Baker	Missoula PD	SB383	X	
Scott Crichton	ACLU	383	Info	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

REGISTER.F10

DATE Feb 21, 1997

SENATE COMMITTEE ON Judiciary

BILLS BEING HEARD TODAY: SB 382, 383, 385

< ■ > PLEASE PRINT < ■ >

Name	Representing	Bill No.	Check One: Support	Oppose
John F. Sullivan	SEMITOOL	SB 382	—	
JOHN DUDIS	SEMITOOL CHANNEL	SB 382	—	
John Connor	Dept of Justice	383	✓	
Jan Rehberg	Semitool	SB 382	"	
Allan Kardell	"	"	"	
Irene H. Thomas	AARP	382		✓
Dick Patterson	MT Sr Citizens	382		✓
Mark Riley	S.A.O	382		✓
Russell B. Hill	MT Trial Lawyers	SB 382		✓
JOHN CADBY	MT BANKERS	SB 382	✓	
Ken Williams	MPC	SB382	✓	
CHRIS PERSON		SB385	✓	
TIM SHANKS	MT Police Prot Assn	SB383	X	
Steve Browning	PacifiCorp	382	✓ Amendment	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

REGISTER.F10

MARY PHIPPEN, Montana Association of Clerks of District Court
{Tape: 3; Side: B; Approx. Time Count: 17.8} **EXHIBIT 9**

EMILE KIMMET, Teton County Clerk of District Court EXHIBIT 10-10B
{Tape: 3; Side: B; Approx. Time Count: 22.6}

ROBERT THROSSELL, Montana Association of Clerks and Recorders
{Tape: 3; Side: B; Approx. Time Count: 24.7}

TIM BURTON, Lewis & Clark County Commission
{Tape: 3; Side: B; Approx. Time Count: 25.8}

JIM KEMBEL, City of Billings
{Tape: 4; Side: A; Approx. Time Count: 0.5}

Proponents' Testimony:
{Tape: 4; Side: A; Approx. Time Count: 1.2 - 19.7; Comments: Because of rescheduling the order of hearing of bills, the following proponents were allowed to testify out of the usual order. Some of these witnesses did not sign in.}

BILL PEARCE **EXHIBIT 11**

JIM HART

RON BAUER

JERRY HAMLIN, Hamlin Construction

MIKE SKINNER

Questions From Committee Members and Responses:
{Tape: 4; Side: A; Approx. Time Count: 19.8-Tape 4; Side B; 10.7}

Closing by Sponsor: **SEN. BECK**
{Tape: 4; Side: B; Approx. Time Count: 12.7; Comments: Described the intent of the bill. Said REP. ANDERSON agreed to carry it.}

HEARING ON SB 383

Opening Statement by Sponsor: **SEN. BRUCE CRIPPEN**
{Tape: 4; Side: B; Approx. Time Count: 14.8}

Proponents' Testimony:

MARY ALICE COOK, Advocate for Children and Families
{Tape: 5; Side: A; Approx. Time Count: 1.6}

DETECTIVE JEFF BEECROFT, State Police Association
{Tape: 5; Side: A; Approx. Time Count: 3.2}

SGT. KEN DOVE, Billings Police Department
{Tape: 5; Side: A; Approx. Time Count: 5.0}

JIM KEMBEL, City of Billings
{Tape: 5; Side: A; Approx. Time Count: 6.2}

JOHN CONNOR, Department of Justice/Montana County Attorneys' Association
{Tape: 5; Side: A; Approx. Time Count: 6.8}

CHARLES BROOKS, Yellowstone County Commissioners
{Tape: 5; Side: A; Approx. Time Count: 7.5}

KATHY McGOWAN, Montana Peace Officers' and Sheriffs' Association
{Tape: 5; Side: A; Approx. Time Count: 7.9}

Questions From Committee Members and Responses:
{Tape: 5; Side: A; Approx. Time Count: 8.8-27.8}

Closing by Sponsor: **SEN. CRIPPEN**
{Tape: 5; Side: A; Approx. Time Count: 27.9}

HEARING ON SB 314

Opening Statement by Sponsor: **SEN. BRUCE CRIPPEN**
{Tape: 5; Side: B; Approx. Time Count: 0.1; Comments: REP. McGEE assumed the chair.}

Proponents' Testimony:

RUSS RITTER, Washington Corporation
{Tape: 5; Side: B; Approx. Time Count: 9.8; Comments: CHAIRMAN CLARK reassumed the chair.}

PAGE DRINGMAN, Burlington Northern/Santa Fe Railroad
{Tape: 5; Side: B; Approx. Time Count: 13.4}

DAVID HOFFMAN, Union Pacific Railroad
{Tape: 5; Side: B; Approx. Time Count: 22.8}

CHARLES CLARK, Union Pacific Railroad
{Tape: 6; Side: A; Approx. Time Count: 0.1}

DON ALLEN, Montana Wood Products Association
{Tape: 6; Side: A; Approx. Time Count: 3.3}

CARL SCHWEITZER, Montana Contractors' Association
{Tape: 6; Side: A; Approx. Time Count: 4.4; Comments: This witness did not sign in.}

JOHN FITZPATRICK, Pegasus Gold
{Tape: 6; Side: A; Approx. Time Count: 4.8}

HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE

ROLL CALL DATE 3/21/97

NAME	PRESENT	ABSENT	EXCUSED
REP. BOB CLARK, CHAIRMAN	✓		
REP. DANIEL MC GEE, VICE CHAIR	✓		
REP. DIANA WYATT, VICE CHAIR	✓		
REP. CHRIS AHNER			✓
REP. SHIELL ANDERSON	✓		
REP. ELLEN BERGMAN	✓		
REP. WILLIAM BOHARSKI	8:00 ✓		
REP. AUBYN CURTISS	✓		
REP. JON ELLINGSON	✓		
REP. DUANE GRIMES	7:30 ✓		
REP. H.S. "SONNY" HANSON	✓		
REP. JOAN HURDLE	✓		
REP. DEB KOTTEL	✓		
REP. LINDA MC CULLOCH	✓		
REP. BRAD MOLNAR	7:30 ✓		
REP. GERALD PEASE	✓		
REP. DIANE SANDS	✓		
REP. LIZ SMITH	8:30 ✓		
REP. LOREN SOFT	✓		
REP. BILL TASH	✓		

MONTANA HOUSE OF REPRESENTATIVES
VISITORS REGISTER

HOUSE JUDICIARY COMMITTEE

DATE 3/21/97

BILL NO. SB 383 SPONSOR(S) Sen. Crippen

PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)
(PLEASE IDENTIFY TYPE OF VISITOR)

PLEASE PRINT

TYPE	NAME	ADDRESS	REPRESENTING
P	W James Kembel		City of Billings
P	John Connor	A.G.	Dept of Justice & Mt. County Atty Assn
P	KEN DOUD	BILLINGS P.D.	BILLINGS POLICE DEPT
P	Charles R. Brooks	Billings	Yellowstone City Commissioner
P	Kathy McGowan	Helena	MSPOA
P	MARY ALICE COOK	Helena	adv. for Children & Families
P	Jeff Beecroft	Gt. Falls	State Police Assoc, Great Falls P.D.
P	Kathy McGOWAN	Sheriff Assn.	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

EXECUTIVE ACTION ON SB 320

Motion: **REP. GRIMES moved SB 320 BE NOT CONCURRED IN. EXHIBIT 2**
{Tape: 2; Side: B; Approx. Time Count: 12.9}

Motion/Vote: **REP. ELLINGSON moved amendments drafted by Greg Petesch to SB 320.** The motion carried 18 - 0. REPS. AHNER and SMITH were absent for the vote.
{Tape: 2; Side: B; Approx. Time Count: 16.0}

Motion: **REP. ELLINGSON moved amendments dated 3/20/97 to SB 320.**
{Tape: 2; Side: B; Approx. Time Count: 18.6}

Discussion:
{Tape: 2; Side: B; Approx. Time Count: 19.4}

Motion/Vote: **REP. ANDERSON moved to table SB 320.** The motion carried 10 - 8. REPS. ELLINGSON, HURDLE, WYATT, McCULLOCH, PEASE, SANDS, BOHARSKI and KOTTEL voting no. REPS. AHNER and SMITH were absent for the vote and did not leave proxy votes.
{Tape: 2; Side: B; Approx. Time Count: 26.3}

EXECUTIVE ACTION ON SB 383

Motion: **REP. WYATT moved SB 383 BE CONCURRED IN.**
{Tape: 2; Side: B; Approx. Time Count: 29.0}

Discussion:
{Tape: 3; Side: A; Approx. Time Count: 0.5}

Vote: The motion carried 17 - 1; REP. HURDLE voting no. REPS. AHNER and SMITH were absent for the vote. **REP. MOLNAR will carry SB 383.**
{Tape: 3; Side: A; Approx. Time Count: 2.2}

EXECUTIVE ACTION ON SB 263

Motion: **REP. KOTTEL moved SB 263 BE CONCURRED IN.**
{Tape: 3; Side: A; Approx. Time Count: 3.2}

Motion: **REP. ELLINGSON moved to amend SB 263.** **EXHIBIT 3**
{Tape: 3; Side: A; Approx. Time Count: 4.7}

Discussion:
{Tape: 3; Side: A; Approx. Time Count: 5.2; Comments: REP. HANSON arrived.}

Vote: The motion carried 19 - 0. REP. AHNER was absent for the vote.

HOUSE STANDING COMMITTEE REPORT

March 27, 1997

Mr. Speaker: We, the committee on **Judiciary** report that **Senate Bill 383** (third reading copy -- blue) **be concurred in**.

Signed: Bob Clark
Bob Clark, Chair

Carried by: Rep. Molnar

3-27-97

Committee Vote:
Yes 17, No 1.

671428SC.Hgd

HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE

ROLL CALL DATE 3/27/97

8:30 AM

NAME	PRESENT	ABSENT	EXCUSED
REP. BOB CLARK, CHAIRMAN	✓		
REP. DANIEL MC GEE, VICE CHAIR	✓		
REP. DIANA WYATT, VICE CHAIR	✓		
REP. CHRIS AHNER	noon ✓	✓	
REP. SHIELL ANDERSON	✓		
REP. ELLEN BERGMAN	✓		
REP. WILLIAM BOHARSKI	✓		
REP. AUBYN CURTISS	✓		
REP. JON ELLINGSON	✓		
REP. DUANE GRIMES	8:40 ✓		
REP. H.S. "SONNY" HANSON	10:00 ✓		✓
REP. JOAN HURDLE	✓		
REP. DEB KOTTEL	✓		
REP. LINDA MC CULLOCH	✓		
REP. BRAD MOLNAR	✓		
REP. GERALD PEASE	✓		
REP. DIANE SANDS	✓		
REP. LIZ SMITH	✓		
REP. LOREN SOFT	✓		
REP. BILL TASH	✓		